

PALM BEACH COUNTY LIBRARY SYSTEM
GOVERNMENT DOCUMENTS

ORDINANCE NO. 2009 - 043 JAN 08 2009

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE MAP SERIES (TO ESTABLISH THE LAKE WORTH/LYONS CONNECTOR BY ADDING A ROADWAY SEGMENT FROM LAKE WORTH ROAD TO LYONS ROAD AS A 2 LANE ROADWAY ON THE FUTURE 2020 ROADWAY SYSTEM BY NUMBER OF LANES MAP TE 1.1 AND AS AN 80 FOOT RIGHT OF WAY ON THE THOROUGHFARE RIGHT OF WAY IDENTIFICATION MAP TE 14.1; AND TO DELETE THE SEGMENT OF HAZERHILL ROAD FROM LE CHALET BOULEVARD TO MILITARY TRAIL FROM THE FUTURE 2020 ROADWAY SYSTEM BY NUMBER OF LANES MAP TE 1.1 AND THOROUGHFARE RIGHT OF WAY IDENTIFICATION MAP 14.1); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 12 & 26, 2009 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 15, 2009 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated September 29, 2009 which was the Department's written review of the proposed Comprehensive Plan amendments; and

WHEREAS, the written comments submitted by the Department of Community Affairs contained **no objections** to the amendments contained in this ordinance; and

WHEREAS, on November 19, 2009 the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the 1989 Comprehensive Plan

Amendments to the 1989 Comprehensive Plan are hereby adopted and attached to this Ordinance in Exhibit 1:

A. Map Series, to establish the Lake Worth/Lyons Connector by adding a roadway segment from Lake Worth Road to Lyons Road on the following:

- Future 2020 Roadway System by Number of Lanes Map, TE 1.1, as a 2 lane roadway; and
- Thoroughfare Right of Way Identification Map, TE 14.1, as an 80 foot right of way.

B. Map Series, to delete the segment of Haverhill Road from Le Chalet Boulevard to Military Trail on the following:

- Future 2020 Roadway System by Number of Lanes Map, TE 1.1; and
- Thoroughfare Right of Way Identification Map, TE 14.1.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be not in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

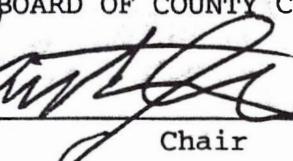
APPROVED AND ADOPTED by the Board of County Commissioners of
Palm Beach County, on the 19th day of November, 2009.

ATTEST:

SHARON R. BOCK, CLERK PALM BEACH COUNTY, FLORIDA,
CLERK ITS BOARD OF COUNTY COMMISSIONERS

By:

 Deputy Clerk, FLORIDA

 Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

 COUNTY ATTORNEY

Filed with the Department of State on the 24th day of
November, 2009.

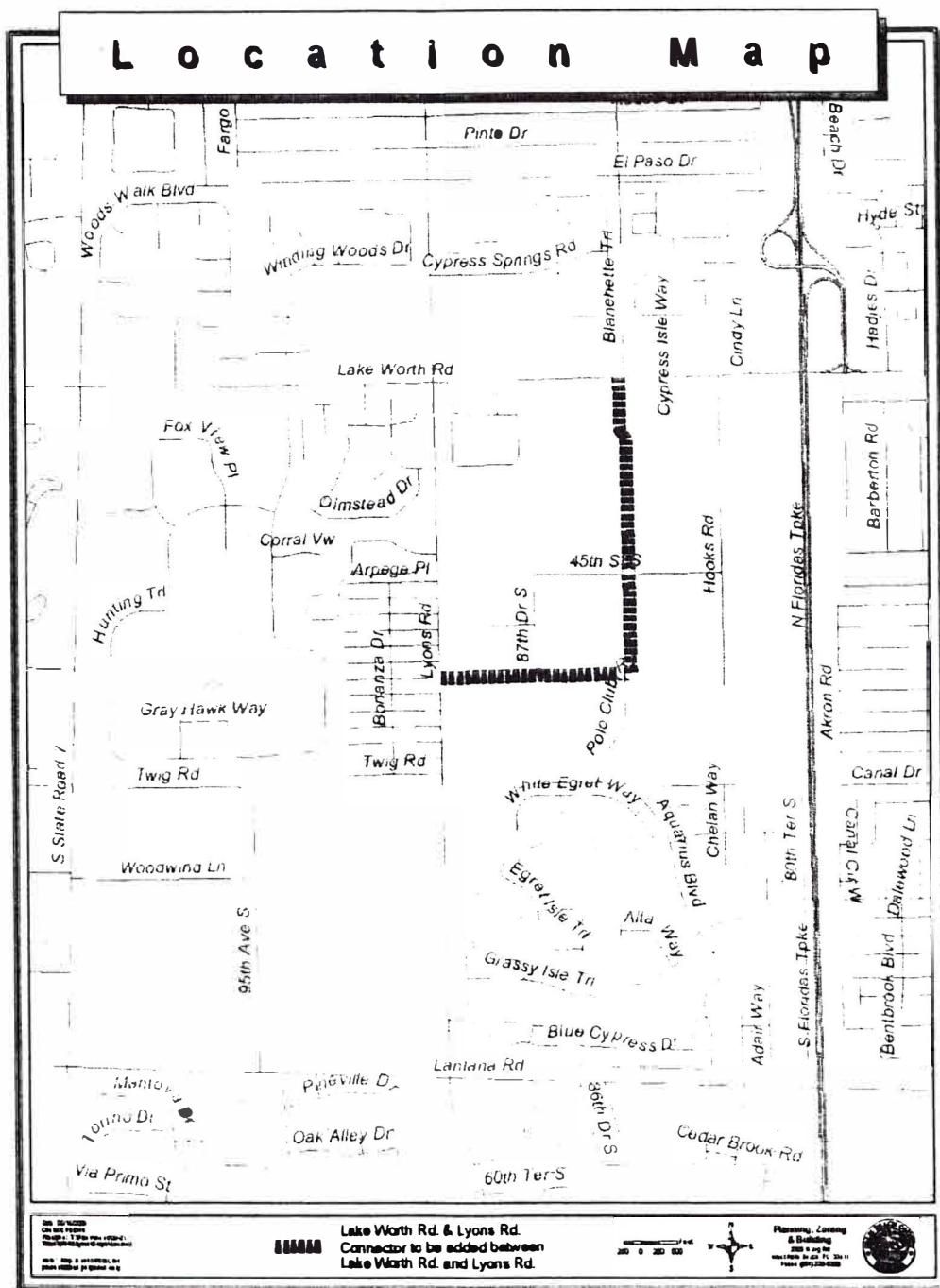
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Exhibit 1

A. Map series, Future 2020 Roadway System by Number of Lanes Map TE 1.1, and Thoroughfare Right of Way Identification Map TE 14.1, Lake Worth/Lyons Connector TIM & 2020

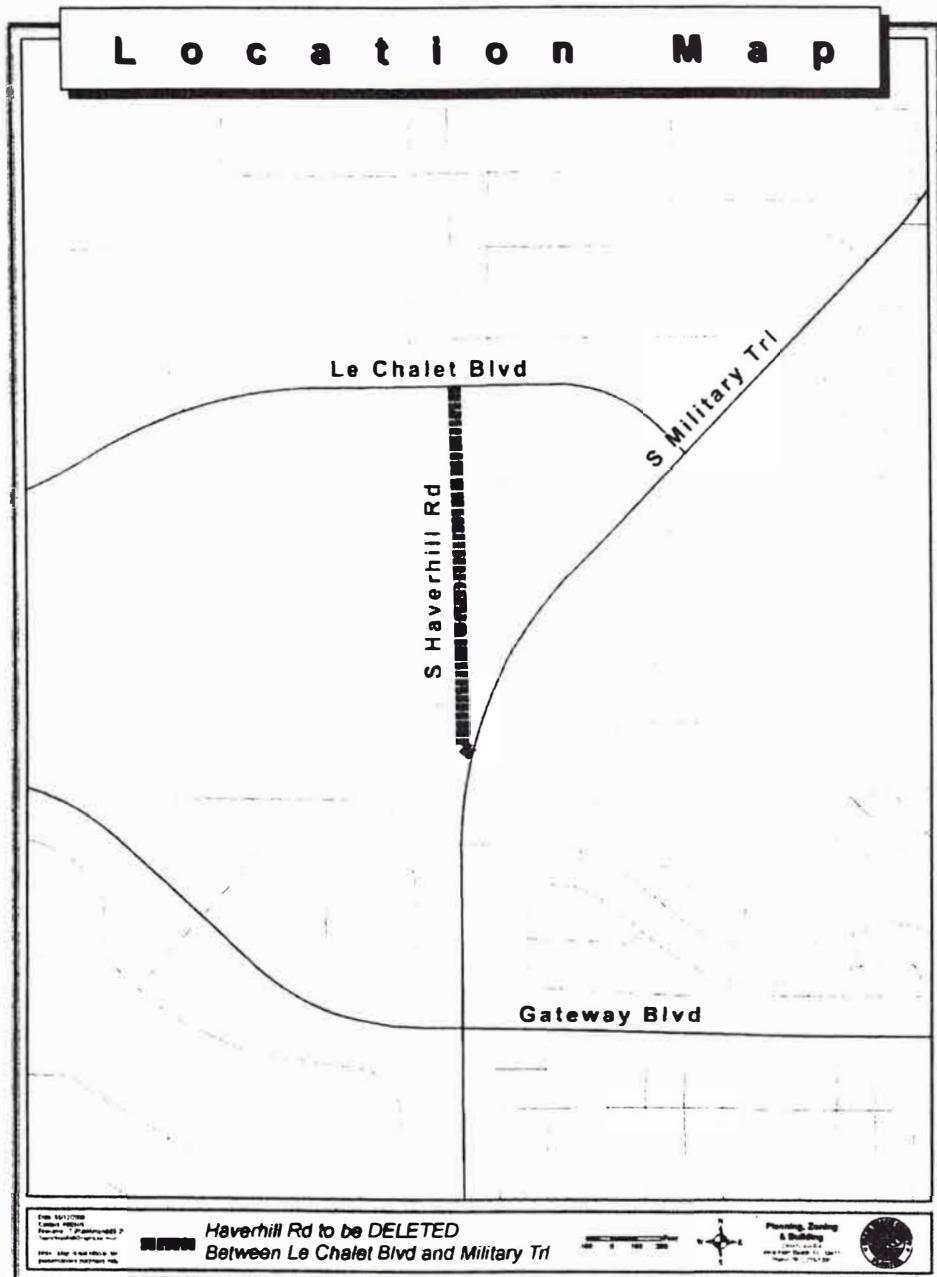
REVISIONS: To add a roadway between Lake Worth Road and Lyons Road as follows:

- Map TE 1.1 – to add as a 2 lane segment
- Map TE 14.1 – to add a 80 foot right of way



B. Map series, Future 2020 Roadway System by Number of Lanes Map TE 1.1, and Thoroughfare Right of Way Identification Map TE 14.1, Haverhill Road TIM & 2020

REVISIONS: To delete the segment of Haverhill Road from Le Chalet Boulevard to Military Trail from Maps TE 1.1 and TE 14.1.



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOCK, Clerk and Comptroller
certify this to be a true and correct copy of the original
filed in my office on November 19, 2009
dated at West Palm Beach, Florida 11/19/09

By: Diane Breson

Deputy Clerk, COUNTY OF PALM BEACH, FLORIDA

